

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SPERO HARITATOS,

Plaintiff,

-vs-

Civil Action No.
05-CV-930 (DNH/GJD)

**HASBRO, INC. and
TOYS "R" US LLC,**

Defendants.

**NOTICE OF PLAINTIFF'S MOTION FOR RECONSIDERATION OF THE
PORTION OF THE COURT'S ORDER DATED OCTOBER 23, 2007
HOLDING THAT PLAINTIFF IS NOT ENTITLED TO RECOVER
MONETARY DAMAGES OR AN ACCOUNTING OF DEFENDANTS'
PROFITS, OR IN THE ALTERNATIVE, FOR CERTIFICATION
OF THE QUESTION FOR INTERLOCUTORY APPEAL**

PLEASE TAKE NOTICE that upon the accompanying Declaration of Robert E. Purcell, together with exhibits thereto, and Plaintiff's Memorandum of Law, as well as all the pleadings and proceedings heretofore had herein, Plaintiff, Spero Haritatos, will move this Court, at the United States Courthouse, Alexander Pirnie Federal Building, 10 Broad Street, Utica, New York before the Honorable David N. Hurd, on the 14th day of December, 2007, at 10:00 a.m., or as soon thereafter as counsel may be heard, for an Order modifying the Court's Order dated October 23, 2007 to thereby deny Defendants' motion for partial summary judgment respecting

monetary relief, or in the alternative, to certify the question for interlocutory appeal, and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

HISCOCK & BARCLAY, LLP

By: _____


Robert E. Purcell
Bar Roll No. 510595
Attorneys for Plaintiff
Spero Haritatos
One Park Place
300 South State Street
Syracuse, New York 13202-2078
Telephone: (315) 425-2802
Facsimile: (315) 703-8594
E-Mail: rpurcell@hiscockbarclay.com